



# Commissioner for Ethical Standards in Public Life in Scotland



Annual Business Plan

2016/17

# Strategic Objective 1

## An accessible complaints process with trusted outcomes

| Actions specified in the Strategic Plan  | Due date |
|--|----------|
| <b>1 – Accessibility (A)</b>   |          |
| a develop an online form for submitting complaints   | 2017/18  |
| i Review previous work undertaken 2015/16  | TBC      |
| ii Plan further when decision has been taken on Website redesign and procurement   | TBC      |
| b develop a method for identifying and confirming which provisions of the applicable Code of Conduct are alleged to have been breached | 2017/18  |
| i Complaint handling – review of procedures. Discuss with IOs and approve  | 31/05/16 |
| ii Implement Duty IO in the office   | 30/06/16 |
| iii Decide which of the revised procedures can be introduced in advance of new CMS   | 30/09/16 |
| iv Revise the written Investigations Procedures  | 31/10/16 |
| v Implement the revised procedures.  | 01/04/17 |

|   |          |
|---|----------|
| <b>2 – Case Management (B)</b>  |          |
| a improve or replace the Case Management System (CMS) (costs cover all four years)                                | 2019/20  |
| i Submit to the SPCB a business case and request for funding for a replacement Case Management System (CMS)       | 30/06/16 |
| ii Recruit temporary Investigations Manager (IMan) to release current IMan to dedicate time to manage CMS project | 30/06/16 |
| iii Create a specification requirement document for the CMS   | 30/09/16 |
| iv Tender for and appoint a supplier for the CMS  | 30/11/16 |
| v Develop the CMS with the supplier   | 28/02/16 |
| vi Test the CMS   | 31/03/16 |
| vii Implement the CMS, including staff training   | 2017/18  |

| <b>3 – User Experience (C)</b> |  |          |
|--------------------------------|--|----------|
| a                              | prepare and publish service standards                            | 2016/17  |
| i                              | Review and revise previous draft with Commissioner               | 30/08/16 |
| ii                             | Consult with staff and agree service standards                   | 30/10/16 |
| iii                            | Publish service standards  | 30/11/16 |
| b                              | explore options for recording levels of complainant satisfaction | 2017/18  |
| i                              | Consider method of gathering information                         | 30/08/16 |
| ii                             | Pre new CMS – Survey monkey, already designed                    | 2015/16  |
| iii                            | Post CMS – automated follow up request                           | TBC      |
| iv                             | Consider when to commence, ie Survey Monkey can commence anytime | 01/04/17 |

| <b>4 – Remit (D)</b> |   |         |
|----------------------|---|---------|
| a                    | prepare for registration of the interests of MSPs and introduction of a lobbying register | 2018/19 |
| iii                  | Identify staff responsible for investigation and undertake training                       | TBC     |
| ii                   | Development Investigation Procedures and agree  | TBC     |
| iii                  | Implement Procedures  | TBC     |

| <b>5 – Resource Allocation</b> |   |          |
|--------------------------------|---|----------|
| b                              | develop and publish online a list of the factors which may be taken into account in making decisions on the prioritisation of complaints about councillors and members of public bodies | 2016/17  |
| i                              | Identify and consult staff on factors, already carried out  | 2015/16  |
| ii                             | Finalise list of prioritisation factors   | 31/12/16 |
| iii                            | Submit/discuss with SP with a view to agreement   | TBC      |
| iv                             | Revise Complaint Leaflet/How to make a complaint information  | TBC      |
| iv                             | Publish on website  | TBC      |

| Performance measures   |   | Due date                               |
|--|---|--|
| <b>Complaints against councillors and members of public bodies</b> |   |  |
| 1  | Numbers of complaints and cases received  | Monthly and published in Annual Report |
| 2  | Categories and originators of complaints  |  |
| 3  | Numbers of complaints and cases completed   |  |
| 4  | Outcome of complaints and cases   |  |
| 5  | Decisions following a public hearing held by the SCS.                                   |  |
| 6  | Performance against targets for initial assessment and for completion of investigations |  |
| <b>Complaints against MSPs</b>                                     |   |  |
| 6  | Numbers and categories of complaints  | Monthly and published in Annual Report |
| 7  | Numbers proceeding and time taken for admissibility and investigation stages            |  |

## Strategic Objective 2

### Public boards which are effective, and reflective of society

| Actions Specified in the Strategic Plan   | Due Date              |
|---|-----------------------|
| <b>1 – Scottish Government Public Boards Governance and Diversity Improvement</b>   |                       |
| a continue to work with officials in the Scottish Government to develop, co-ordinate and implement actions to improve on board diversity and thereby enhance board governance.                                      | 2016/17               |
| i Work with SG officials to design a new driver diagram with a revised aim to include broader board diversity and improved governance   | Oct 2016              |
| ii Work with the same officials to draft a revised action plan intended to meet the aim set out in the new driver diagram   | Nov 2016              |
| iii Work in partnership with officials to implement agreed actions in the plan that are appropriate for the Commissioner's staff and/or PAAs to fulfil. Key actions already identified and brought forward include: |                       |
| 1. Taking part in awareness events and in outreach activity   | Ongoing – 4 per annum |
| 2. Working with officials to make materials provided to applicants more welcoming and accessible  | Feb 2017              |
| 3. Rolling out the revised applicant survey   | From April 2016       |
| iv New actions include:   |                       |
| 1. Reviewing the baseline of our boards' demographics and identifying where there is underrepresentation  | June 2016             |
| 2. Designing new actions with the specific purpose of redressing the highest levels of underrepresentation  | Feb 17                |
| 3. Working with officials to scope out a project with the intent of assessing in due course the impact that more diverse appointments are having on board governance.   | Nov 2016              |
| 4. Working with officials on enhancing and/or introducing effective succession-planning for boards  | Nov 2016              |

|                                     |  |         |
|-------------------------------------|--|---------|
| <b>2 – Partnership Approach (E)</b> |  |         |
| a                                   | continue to work in partnership with the Scottish Government public appointments team to implement the agreed approach to forward planning. (costs cover all four years) | 2019/20 |
| i                                   | Working with officials to enhance strategic planning for appointment activity by obtaining long term strategic plans from each DG area                                   | 2016/17 |
| ii                                  | Allocate PAAs to rounds on which their involvement will increase and enhance both understanding and assurance and will likely lead to more diverse boards                | 2016/17 |

|                                    |   |                      |
|------------------------------------|---|----------------------|
| <b>3 – Review of 2013 Code (F)</b> |   |                      |
| a                                  | conduct a full review of the effectiveness of the 2013 Code during the period of this plan (costs allocated to 2016/17, 2018/19 and 2019/20)  | 2019/20              |
| i                                  | Conduct stage 3 of the thematic review of the 2013 Code's operation. This will be a review of progress against the recommendations made in the report on stage 2 of the thematic review. (The work is cross-referenced to the project set out in SO2 1a iv. 3) Initial scope for this will include: | 2016/17              |
|                                    | 1. effectiveness of the lessons learned process   | Commences March 2017 |
|                                    | 2. the framework for good practice  | Commences Dec 2016   |
|                                    | 3. whether changes to the culture and levels of understanding of people engaged in making appointments has made the system more open and encouraging to a wider range of people.  | Commences Dec 2016   |

| Performance measures |  | Due Date                   |
|----------------------|--|----------------------------|
| 1                    | Numbers of regulated bodies and posts  | Published in Annual Report |
| 2                    | Number of appointment rounds initiated and completed   |                            |
| 3                    | Number of applications and appointments  |                            |
| 4                    | Time taken for individual stages of appointment rounds   |                            |
| 5                    | Timing of re-appointments  |                            |
| 6                    | Numbers of people appointed who have not previously held and do not currently hold a regulated appointment |                            |

|   |   |  |
|---|---|--|
| 7 | Satisfaction levels with appointment process                                  |  |
| 8 | Changes in demographic profile of applicants, appointees and board membership |  |
| 9 | Performance against Diversity Delivers targets                                |  |

| Annual Actions |   | Due Date  |
|----------------|---|---|
| 1              | Conduct ad hoc reviews of material produced during appointment rounds in relation to the advice and/or reports from the PAAs allocated to those rounds.         | One per PAA per annum                                     |
| 2              | Review all PAA contacts with office and conduct annual SLA discussion to discuss performance, training needs and trends   | Once per PAA per annum. Tranches in Sep/Oct and Jan - Mar |
| 3              | Conduct investigations into complaints or reports of potential material non-compliance, write draft reports of findings in accordance with laid down guidelines | As required   |
| 4              | Provide training for panel members if/when requested  | As required   |
| 5              | Post case studies of examples of successful new approaches on website.  | Bi monthly  |
| 6              | Upgrade the current appointments database to enhance its reporting capabilities and to increase on the return rate of stakeholder views.                        | March 2017  |
| 7              | Circulate PAA end of involvement reports.   | Monthly   |
| 8              | Establish a formal mechanism for tracking legislation that removes or adds bodies from/to the CESPLS remit in respect of appointments.                          | Monthly   |

## Managing resources

| Actions Specified in the Strategic Plan   | Due Date     |
|---|--------------|
| <b>1 – Budget Limits</b>  |              |
| a manage expenditure within the budget limits agreed annually with the SPCB   | Annually     |
| i Provide regular financial reports to the Management Team.   | Monthly      |
| ii Develop additional forms of management information to identify areas of risk and further improvements to processes | October 2016 |
| iii Review the business plan and consider budget pressures  | Quarterly    |

|  |          |
|--|----------|
| <b>2 – Key Resource</b>  |          |
| a find ways of maintaining and where possible improving job satisfaction and performance             | TBC      |
| i Ensure that staff policies and terms and conditions reflect current legislation and good practice. | Annually |

|  |         |
|--|---------|
| <b>3 – Communication</b>   |         |
| a maintain good channels of communication with the SPCB, committees of the Parliament, Ministers, officials of the Scottish Government and public bodies and to work in partnership wherever possible. | TBC     |
| i Offer subject matter induction meetings to all new Clerks to relevant committees   |         |
| ii Continue membership of specialist subject-related groups. For example, the Scottish Information Commissioner's Part 7 Network Group.  | Ongoing |

|  |                |
|--|----------------|
| <b>4 – Website (G)</b>   |                |
| a review and where appropriate improve the accessibility, clarity, consistency and ease of use of the website. | 2017/18        |
| i Develop project plan for review and improvement of website.  | September 2016 |
| ii Seek funding for improvement of website   | October 2016   |
| lii Tender for improvement of website  | December 2016  |



| Performance measures |   | Due Date                               |
|----------------------|---|--|
| 1                    | Performance against budget and annual business plan targets | Monthly and published in Annual Report |

| Annual Actions |  | Due Date               |
|----------------|--|------------------------|
| 1              | Develop a Memorandum of Understanding with the National Records of Scotland for the transfer of archive records. | August 2016            |
| 2              | Agree a Framework Agreement with the Scottish Parliamentary Corporate Body.                                      | July 2016              |
| 3              | Identify key risks to the business, ensure mitigating actions are in place and review regularly                  | May 2016 onwards       |
| 4              | Develop a combined annual report and accounts.   | July 2016              |
| 5              | Prepare a budget for 2017/18   | August 2016            |
| 6              | Draft the business plan for 2017/18  | February 2017          |
| 7              | Tender for IT services   | August 2016 onwards    |
| 8              | Review the Commissioner's Publication Scheme and Guide to Information  | August 2016            |
| 9              | Review the Commissioner's Records Management Plan  | June and December 2016 |